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7PH-ROSENTHAL-LOVEJOY,460

7TIMES EDITOR: PENDING BILL WOULD HAVE HINDERED WATERGATE PROBE  
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WATERVILLE, MAINE (AP) - THE NEW YORK TIMES IS PREPARED TO CHALLENGE LEGISLATION THAT COULD MAKE IT A CRIME TO PRINT NAMES OF U.S. INTELLIGENCE AGENTS, THE NEWSPAPER'S EXECUTIVE EDITOR SAYS.

SPEAKING MONDAY NIGHT AT COLBY COLLEGE, A.M. ROSENTHAL EXPRESSED CONCERN ABOUT A BILL RECENTLY PASSED BY THE HOUSE AND NOW IN A SENATE COMMITTEE THAT WOULD MAKE IT A CRIME FOR NEWSPAPERS TO PRINT NAMES OF FORMER OR PRESENT AGENTS IF THE NEWSPAPERS HAD REASON TO BELIEVE SUCH PRINTING WOULD AFFECT INTELLIGENCE OPERATIONS.

HE SAID THE BILL WILL BE ENACTED AND HIS NEWSPAPER WILL TEST ITS CONSTITUTIONALITY BY SEEKING A DECLARATORY JUDGMENT AGAINST IT IN THE COURTS.

ROSENTHAL REFERRED TO THE BILL DURING A SPEECH IN WHICH HE WARNED THAT THE NATION'S FREE PRESS IS UNDER ATTACK BY LEGISLATORS AND JUDGES. HE RECEIVED COLBY'S ELIJAH PARISH LOVEJOY AWARD, NAMED IN MEMORY OF A 19TH CENTURY MARTYR TO FREEDOM OF THE PRESS.

A LAW RESTRICTING THE IDENTIFICATION OF INTELLIGENCE AGENTS WOULD HAVE MADE IT IMPOSSIBLE TO PUBLISH PARTS OF THE WATERGATE STORY BECAUSE SOME OF THE PARTICIPANTS IN THE SCANDAL HAD CONNECTIONS WITH THE CIA, HE SAID.

IT ALSO WOULD HAVE BARRED THE TIMES FROM CONDUCTING ITS CURRENT INVESTIGATION OF THE TRANSFER OF SECRET COMMUNICATIONS MATERIAL AND WEAPONS TO LIBYA BECAUSE OF THE INVOLVEMENT OF FORMER CIA AGENTS.

"THERE IS EVERY REASON TO SUSPECT THAT PEOPLE NOW IN THE CIA HAD KNOWLEDGE OF THE WHOLE SICKENING BETRAYAL OF AMERICAN INTERESTS," SAID ROSENTHAL. "THE SAD BUT IMPORTANT TRUTH IS THAT THE INTELLIGENCE OLD SCHOOL TIE SEEMS TO HAVE BEEN THE CONNECTING LINK IN THIS OPERATION TO STRENGTHEN THE DICTATOR CALLED A MADMAN BY OUR OWN LEADERS."

THOSE WHO SUPPORT RESTRICTIONS ON WHAT THE PRESS MAY PUBLISH DEFEND THEIR POSITION BY SAYING THEIR EFFORTS ARE AIMED AT "CERTAIN NASTY FRINGE PUBLICATIONS," HE SAID.

"NOW I HAPPEN TO AGREE THAT SOME OF THEIR TARGETS ARE INDEED NASTY AND FRINGE, BUT IT IS PRECISELY THE FRINGES - NOT JUST THE CENTER - THAT THE FIRST AMENDMENT WAS DESIGNED TO PROTECT."